

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CURTIS S. THOMPSON,

Plaintiff,

v.

OFFICER BURACH, *et al.*,

Defendants.

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CASE NO. C05-2064-JLR-MAT

ORDER STRIKING PLAINTIFF'S
MOTION TO COMPEL

This is a civil rights action filed under 42 U.S.C. § 1983. This matter comes before the Court at the present time on plaintiff's motion to compel discovery. The Court, having reviewed plaintiff's motion, defendants' response thereto, and the balance of the record, does hereby ORDER as follows:

(1) Plaintiff's motion to compel (Dkt. No. 159) is STRICKEN. Plaintiff, by way of the instant motion, seeks to compel defendants to produce certain documents previously requested in discovery. Defendants, in their response to plaintiff's motion, assert that they have already properly responded to plaintiff's discovery requests. Defendants concede that they refused to provide plaintiff with one set of requested documents; *i.e.*, the personnel files of the named defendants. They argue, however, that those files are beyond the scope of

01 permissible discovery and that they therefore properly objected to the production of those files
02 in their response to plaintiff's discovery request. Plaintiff fails to rebut this argument.

03 Because it appears that defendants have produced all of the requested documents that
04 plaintiff was entitled to receive through discovery, plaintiff's motion to compel is moot.

05 (2) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
06 defendants, and to the Honorable James L. Robart.

07 DATED this 9th day of March, 2011.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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